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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q79392

Juergen HARTMAIER, et al.

Appln. No.: 10/758,118

Group Art Unit: 2872

Confirmation No.: 5044

Examiner: Ricky D. SHAFER

Filed: January 16, 2004

For: DELAY ELEMENT MADE FROM A CUBIC CRYSTAL AND CORRESPONDING  
OPTICAL SYSTEM

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes

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STATEMENT UNDER 37 C.F.R. § 1.97 (e)  
Q79392

prosecution in the application (whichever is earlier), and therefore Applicant directs and authorizes the USPTO to charge the \$180.00 fee under 37 C.F.R. § 1.17(p).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge the required fee of \$180.00 under 37 C.F.R. § 1.17(p) and all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

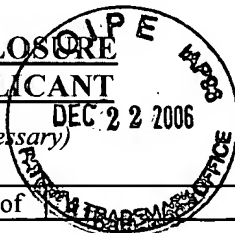
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Date: December 22, 2006

Substitute for Form 1449 A &amp; B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)



Sheet

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of

*Complete if Known*

Application Number	10/758,118
Confirmation Number	5044
Filing Date	January 16, 2004
First Named Inventor	Juergen HARTMAIER
Art Unit	2872
Examiner Name	Ricky D. SHAFER
Attorney Docket Number	Q79392

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 2003/0099047	A1	05-29- 2003	Hoffman et al.
		US 2004/0227988	A1	11-18-2004	Albert et al.
		US			
		US			
		US			
		US			
		US			
		US			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		BURNETT J H et al., "INTRINSIC BIREFRINGENCE IN CALCIUM FLUORIDE AND BARIUM FLUORIDE"; PHYSICAL REVIEW, B. CONDENSED MATTER; AMERICAN INSTITUTE OF PHYSICS. NEW YORK, US, Bd. 64, Nr. 24, 15 December 2001, pages 241102-1-241102-4, XP002218846	
		PASTRNAK J et al., "OPTICAL ANISOTROPY OF SILICON SINGLE CRYSTALS"; PHYSICAL REVIEW B (SOLID STATE), 15 APRIL 1971; USA, Bd. 3, Nr. 8, pages 2567-2571, XP-001109107	
		CHRIS VAN PESKI; Memo to PAG Members; "Re: BIREFRINGENCE OF CALCIUM FLUORIDE", written 7 May 2001; XP-002218847	
		CHRIS VAN PESKI; Memo to Exposure Tool Manufacturers and Lens Designers; "Re: BIREFRINGENCE OF CALCIUM FLUORIDE", written 7 May 2001; XP-002218848	
		BURNETT J H et al., "INTRINSIC BIREFRINGENCE IN 157 nm MATERIALS" at 2 <sup>nd</sup> International Symposium on 157nm Lithography in Dana Point, California on 15 May 2001-XP-002218849	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.